

TEMPORARY

NO. 64859-T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office FEB 19 1999
Returned to applicant for correction _____
Corrected application filed _____
Map filed FEB 24 1998 under 63863-T

The applicant **Echo Bay Minerals Company**, hereby make application for permission to change the **Portion of Point of Diversion** of water heretofore appropriated under **Permit No. 58414**

1. The source of water is **Underground (Mine Dewatering)**
2. The amount of water to be changed **1.0 cfs**
3. The water to be used for **Mine Dewatering**
4. The water heretofore permitted for **Mine Dewatering**
5. The water is to be diverted at the following point within the NW¼ SE¼ of Section 36, T29N, R52E MDM or at a point from which the southeast corner of said Section 36 bears S 44°57'33" E a distance of 2622.7 feet
6. The existing permitted point of diversion is located within the NE¼ SE¼ of Section 36, T29N, R42E, MDM or at a point from which the southeast corner of said Section 36 bears S 40°31'08" E a distance of 1883.0 feet
7. Proposed place of use **Refer to Exhibit "A" attached. Exhibit "A" Place of Use identical to that filed with Application No. 51710**
8. Existing place of use **Refer to Exhibit "A" attached. Exhibit "A" Place of Use identical to that filed with Application No. 51710**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Drilled & cased well, installed submersible pump & motor, discharge piping to infiltration system**
12. Estimated cost of works **\$250,000**
13. Estimated time required to construct works **drilled 19-inch hole to 530 feet; installed 520 feet of 12-inch casing; installed 200 hp motor & pump; installed 2000 feet of 12-inch poly-pipe from wellhead to intermediate pumping station for percolation system.**
14. Estimated time required to complete the application of water to beneficial use **Two years**
15. Remarks: **The applicant agrees that the total combined duty of consumptive use under all permits shall not exceed 3000 acre-feet annually. The balance of water developed or pumped will be placed in the percolation system pursuant to permits previously granted by the State Engineer and the Nevada Division of Environmental Protection.**

By **s/Eric L. Daniels**
P.O. Box 1658
Battle Mountain, Nevada 89820

Compared dl/cms dl/cms

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 58414 is issued subject to the terms and conditions imposed in said Permit 58414 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This temporary permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The issuance of this temporary permit will allow the permittee to dewater the pit area. Maximum use of the water for mining, milling and related purposes from all dewatering wells will be made. All of the water from the dewatering wells not used for mining, milling and related purposes will be returned to the groundwater source in the manner authorized under Division of Environmental Protection's Water Pollution Control Permit issued June 7, 1989.

This temporary permit is issued subject to the stipulation between Echo Bay Minerals Company and Lander County, dated May 11, 1993, and with the understanding that no additional consumptive use of water is granted under this temporary permit.

The total combined consumptive use of water under Permits 49249, 51711, Certificate 12515; 51712, Certificate 12516; 52776, 52777, 52778, 53220, 55178, 55179, 55181, 55183, 55186, 55903, 55904, 55905, 56497, 56498, 56894, 57370, 57967, 58410, 58411, 58412, 58413, 58414, 58720, 58721, 61232, 61233, 61234, 61235, 61236, 64656-T, 64858-T and 64859-T will not exceed 3,000 acre-feet annually.

Monthly reports will be submitted to the State Engineer as to how much water is pumped from each well; the amount used for mining, milling and related purposes; and the amount of water placed in the percolation system and the estimated amount of water recharged to the groundwater system.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on April 26, 2000 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Application of water to beneficial use shall be filed on or before:

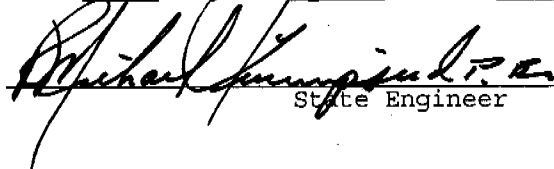
Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 27th day of April, A.D. 1999


State Engineer

TEMPORARY

EXPIRED

DATE APR 26 2000

EXHIBIT A

Place of Use

T30N R42E MDM

Sections 26, 27, 34, 35, 36

T30N R43E MDM

Section 30

T29N R42E MDM

Sections 1, 2, 3, 10, 11, 12, 13, 14, S $\frac{1}{2}$ of 15, E $\frac{1}{2}$ of 16,
23, 24, 25, 26, S $\frac{1}{2}$ of 27, S $\frac{1}{2}$ of 28, S $\frac{1}{2}$ of 29,
SE $\frac{1}{4}$ of 30, E $\frac{1}{2}$ of 31, 32, 33, 34, 35, 36

T29N R43E MDM

Sections 4, SW $\frac{1}{4}$ of 5, 6, 7, W $\frac{1}{2}$ of 8, 10, S $\frac{1}{2}$ of 14,
E $\frac{1}{2}$ of 16, W $\frac{1}{2}$ of 17, 18, 19, 20, 21, 22,
W $\frac{1}{2}$ of 23, 24, 25, 26, 27, S $\frac{1}{2}$ of 28, 29, 30, 31,
32, 33, 34, W $\frac{1}{2}$, SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ of 35, 36

T28N R42E MDM

Sections 1, 2, 3, 4, 5, N $\frac{1}{2}$ of 8, 9, 10, 11, 12, 13, 14, 15,
22, 23, 24

T28N R43E MDM

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,
17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27